

Application No.: 10/669197

Case No.: 38695US002

REMARKS

Entry of the amendments under 37 CFR 1.116 and favorable reconsideration of this application in light of the following discussion is respectfully requested. Claims 1, 14 and 15 have been amended. Claims 1-15 remain pending in this application for consideration.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 2, 5, 8, 14, and 15 were finally rejected under 35 USC § 102(b) as being anticipated by Wolf (U.S. Patent No. 4,173,441).

Regarding claim 1, the Examiner averred that Wolf teaches imaging a sequential portion of the continuously moving web to provide digital information, processing the digital information with at least one initial algorithm to identify regions on the web containing anomalies, extracting identified regions from the digital information, and analyzing the extracted identified regions with at least one subsequent algorithm to determine which anomalies represent actual defects in the moving web.

The Office Action further refers to some of the dependent claims as follows:

Regarding claim 2, Wolf teaches storing or buffering the identified regions prior to analyzing.

Regarding claim 5, Wolf teaches thresholding.

Regarding claim 8, wolf teaches that at least one subsequent algorithm characterizes at least a portion of the web into quality classifications.

Regarding claim 14, Wolf teaches imaging a sequential portion of the web to provide digital information, processing the digital information with at least one initial algorithm to identify regions on the web containing anomalies, extracting identified regions from the digital information, and analyzing the extracted identified regions with at least one subsequent algorithm to determine which anomalies represent actual defects in the web.

Regarding claim 15, Wolf teaches an imaging device for imaging a sequential portion of the continuously moving web to provide digital information, and computational equipment for processing the digital information with an initial algorithm to identify regions on the web containing anomalies, then extracting identified regions from the digital information, and then

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analyzing the extracted identified regions with at least one subsequent algorithm to determine which anomalies represent actual defects in the moving web.

Applicants Response to the Claim Rejections under 35 U.S.C. § 102

Applicants aver that the present invention, as recited in amended claims 1, 14 and 15, is patentable over Wolf. Wolf is deficient for at least the reasons set forth in applicants' responses to the previous Office Actions. However, in an effort to move this matter toward allowance, applicants have amended claims 1 and 14 to recite that the extracted identified regions represent a portion of the digital information. Support for this amendment is found on page 7, line 26 through page 8, line 5. Additionally, applicants have amended claim 15 to recite that the extracted identified regions are subimages of the digital information. Support for the amendment is found on the above-noted pages in the specification as well as in original claim 13.

Applicants submit that the noted amendments are consistent with the suggestions made by the Examiner in the interview conducted on November 3, 2004. Applicants also acknowledge the Patent Office's position that such amendments are for the purpose of clarifying the invention and do not unduly limit the scope of the claims. Applicants believe the amended claims are now in condition for allowance. Entry of the amendments and withdrawal of the rejection is respectfully requested.

Claims 2, 5 and 8 each depend from claim 1 and are patentable over Wolf on at least the basis of this dependency from a patentable claim. Accordingly, the rejection of claims 2, 5 and 8 should be withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 4, 7, and 9-12 were finally rejected by the Patent Office under 35 USC § 103(a) as being unpatentable over Wolf in view of Eichel (U.S. Patent No. 6,266,437).

Claim 3 was finally rejected under 35 U.S.C. § 103(a) as being unpatentable over wolf in view of Dalmia et al. (U.S. Patent No. 6,259,109).

Claim 6 was finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Wolf in view of Floeder et al. (U.S. Patent Publication No. 2002/0110269).

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In the Final Action, the Examiner reiterated that claims 3, 4, 6, 7 and 9-12 were rejected for the reasons established in the previous Office Action. The Examiner also indicated that Eichel, Dalmia, and Floeder et al. are utilized to address the deficiencies of Wolf with respect to claims 3, 4, 6, 7 and 9-12.

Applicants Response to the Claim Rejections under 35 U.S.C. § 103

Applicants aver that dependent claims 3, 4, 6, 7 and 9-12 are patentable over Wolf in view of Eichel, Wolf in view of Dalmia, and Wolf in view of Floeder et al.

Applicants continue to assert that the present invention is patentable over Wolf because Wolf does not describe extracting identified regions from the digital information, wherein the extracted identified regions represent a portion of the digital information. Wolf actually determines features, rather than extracting identified regions of digital information, as evidenced by the discussion in column 2, line 19-22.

Applicants averred in the response to the previous Office Action, that Eichel, Dalmia and Floeder et al. all fail to address the deficiencies of Wolf with respect to the dependent claims to which each reference was applied. Independent claim 1, as amended, is patentable over Wolf for the foregoing reasons. The remaining claims rejected on the record, namely 3, 4, 6, 7 and 9-12, all depend, either directly or indirectly, from claim 1. Thus, each of these claims is patentable at least on the basis of their dependency from a patentable base claim. Withdrawal of all the rejections under 35 U.S.C. § 103 over Wolf in view of Eichel, Wolf in view of Dalmia, and Wolf in view of Floeder et al. is respectfully requested.

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CONCLUSION

In view of the foregoing remarks, entry of the amendments under 37 C.F.R. § 1.116 is hereby requested. Favorable reconsideration of the present application and the passing of this case to issue with all claims allowed is courteously solicited. Should the Examiner wish to discuss any aspect of this application, applicants' attorney suggests a telephone interview in order to expedite the prosecution of the application.

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Date

By: Brian E. Szymanski, Reg. No.: 39,523
Telephone No.: (651) 737-9138

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833